REMARKS

Claims 1-10 are pending.

In the Office Action dated December 30, 2009 claims 1, 5, 6 and 8 were rejected under 35 U.S.C. 102(e) as being anticipated by US patent publication No. 2003/0114177 (Sinnarajah); claims 2, 4 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of US patent application publication no. 2002/0010683 (Aune); and claims 3, 7, and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of US Patent No. 5,918,177 (Corriveau).

REJECTION UNDER 35 U.S.C. § 102(e)

Rejection over Sinnarajah

Independent claims 1, 5 and 8 were rejected as being anticipated by Sinnarajah. It is respectfully submitted that the anticipation rejection is erroneous.

Claim 1 of the present invention comprises the following feature:

"*Determining a paging identifier in the telecommunication network and at said subscriber station, by applying a hash function to a data string including at least part of the unique service identifier;*"

The Office Action relies on paragraph [0060], lines 25-29, where it is written:

"*Both the subscriber station and the base station use a hash function to determine, which frequency to use for communication. The subscriber station and the base station then use the hash function to determine a paging channel, which the subscriber station monitors. In one embodiment, the hash function accepts number of entities to hash, e.g., frequencies, paging channels, and the like and an international subscriber identifier (IMSI) and outputs one entity.*"

The Office Action relies further on claim 13, lines 6-8 which states:

"*Determining frequencies on which to page the subscriber station in accordance with paging identifiers contained in the subscriber paging set; determining paging channels on which to page the subscriber station for each of the frequencies.*"

Further the Office Action also relies on paragraph [0065] lines 3-10 noting (according to the Office Action) that "*HSBS_ID is embedded in a string of information in the HSBS channel subject to hashing and multiplexed in the broadcast channel, the paging channel is also subject to the hash function.*"

The passage of paragraph [0065] expresses the following:

"*The subscriber station then tunes to a frequency in accordance with current hashing method and registers with a base station transmitting the frequency. When a subscriber station tunes to a frequency modulated by an HSBS channel identified by HSBS_ID=i, if HSBS_TIMER_STATUS$_s$[i] is set to "expired", the subscriber station performs a broadcast service registration with the base station for the HSBS channel, sets HSBS_TIMER_STATUS$_s$[i] to "labelled" and starts a count.*"

From this passage the skilled person can only learn to use a hash function to determine which frequency to use for communication and to use a hash function to determine a paging channel. In the course of this determination the IMSI may be involved. The Office

Action refers to the IMSI e.g. being a paging identifier. This argument of the Office Action is illogical. Why should there be a requirement to determine a paging identifier if it is already present in form of an IMSI? Why should the paging identifier be involved in determining another paging identifier? These questions point to a major difference with respect to the present invention.

Further applicant respectfully submits that the statement on the last line of page 2 of the Office Action is erroneous, namely:

> *"that HSBS_ID is embedded in a string of information in the HSBS channel subject to hashing."*

On the contrary, Sinnarajah discloses to communicate the HSBS_ID by external means at paragraph [0037] lines 15-16. Further it is disclosed that the HSBS_ID is specified by a logical to physical mapping (page 4 lines 2-6). These <u>broadcast service parameters</u> (HSBS_ID) are signalled in existing overhead messages according to Sinnarajah paragraph [0040] lines 1 and 2 or in another embodiment in an overhead message according to paragraph [0041] lines 1 and 2 and 13-17.

Furthermore they may be transmitted in a dedicated mode via an existing message on one or more dedicated channels (paragraph [0042] lines 9 and 10).

Thus Sinnarajah does not teach that the HSBS_ID is subject to application of a hash function. Consequently Sinnarajah clearly does <u>not</u> disclose the above recited feature of claim 1. In an analogous fashion this statement also holds true for independent claims 5 and 8 referring to a telecommunication network and the wireless station having a corresponding feature.

It is further to be noted that Sinnarajah here clearly discloses to determine a frequency for communication and a paging channel by applying a hash function and not to determine a paging identifier.

Furthermore independent claim 1 of the present invention has the feature:

> *"associating said subscriber station with the determined paging identifier."*

The Office Action asserts that claim 13 of Sinnarajah would disclose this feature. Claim 13 expresses:

> "*Determining frequencies on which to page the subscriber station in accordance with paging identifiers contained in the subscriber station paging set;*
>
> *determining paging channels on which to page the subscriber station for each of the frequencies; and paging the subscriber station on all determined paging channels.*"

The paging identifier however expressed in claim 13 is not a paging identifier corresponding to the one of the present invention. Instead the page set comprises for instance {2,1,fz} (page 8 paragraph [0070] line 3). The page set of Sinnarajah has nothing to do with allocating the service. Instead, Sinnarajah teaches to allocate an appropriate paging channel by the page set because the stations of Sinnarajah are not capable of listening to a high speed broadcast service and a paging channel on different frequencies at the same time. Therefore, Sinnarajah provides a solution to associate any paging channel to the high speed broadcasting service the subscriber is currently receiving.

Consequently Sinnarajah does <u>not</u> teach the above recited feature of the present invention.

Moreover, claim 1 comprises the feature

> "*prior to transmitting information pertaining to the service over broadcast channel, transmitting a paging message incorporating said paging identifier to the wireless station.*"

The Office Action asserts that this feature would be disclosed at paragraph [0059] lines 1-6 of Sinnarajah which express:

> "*When a base station receives request to communicate with the subscriber station the base station generates a paging message for the subscriber station. The base station then determines which paging channel the subscriber station monitors and transmits the paging message on the paging channel.*"

8

Furthermore the Office Action resorts to claim 9 as disclosing the above feature. In claim 9 it is written:

> *The method as claimed in claim 6 wherein adding a paging identifier to the subscriber's station paging set comprises:*
>
> *adding an identifier of the HSBS channel monitored by the subscriber station to the subscriber station paging set.*"

As discussed above the base station uses the paging set to determine on which paging channel the subscriber station is reachable. Claim 9 and the text passage recited by the Office Action do however not disclose that the HSBS_ID <u>is communicated</u> in a paging message.

To summarize the above arguments. Sinnarajah does not disclose <u>three</u> features of claim 1 of the present invention. Corresponding statements hold true for independent claims 5 and 8 comprising corresponding features. In view of these arguments it is respectfully submitted that the anticipation rejections of dependent claims using Sinnarajah have also been overcome.

REJECTION UNDER 35 U.S.C. § 103

Rejection over Sinnarajah in view of Aune

  Claims 2, 4 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of Aune. It is respectfully submitted that the obviousness rejection is defective.

  To establish *prima facie* obviousness, the Patent Office must show where each and every element of the claim is taught or suggested in the combination of references. M.P.E.P. § 2143.03.

  As discussed above concerning the rejection under 35 U.S.C. § 102 Sinnarajah fails to disclose several features of the present invention of independent claims 1, 5 and 8.

  Therefore, even if Sinnarajah and Aune were to be hypothetically combined, the hypothetical combination would still be missing the following element of claim 1:

   "Determining a paging identifier in the telecommunication network and at said subscriber station, by applying a hash function to a data string including at least part of the unique service identifier;"

  Therefore, it is respectfully submitted that the obviousness rejection is defective for at least this reason as claims 2, 4 and 9 which were rejected contain this feature as a consequence of their dependency on the respective independent claim.

Rejection over Sinnarajah in view of Corriveau

  Claims 3, 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of Corriveau.

  Claims 3, 7 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sinnarajah in view of Corriveau. It is respectfully submitted that the obviousness rejection is defective.

  To establish *prima facie* obviousness, the Patent Office must show where each and every element of the claim is taught or suggested in the combination of references. M.P.E.P. § 2143.03.

  As discussed above concerning the rejection under 35 U.S.C. § 102, Sinnarajah fails to disclose several features of the present invention of independent claims 1, 5 and 8.

Therefore, even if Sinnarajah and Corriveau were to be hypothetically combined, the hypothetical combination would still be missing the following element of claim 1:

> *"Determining a paging identifier in the telecommunication network and at said subscriber station, by applying a hash function to a data string including at least part of the unique service identifier;"*

Therefore, it is respectfully submitted that the obviousness rejection is defective for at least this reason, as in claims 3, 7 and 10 which were rejected this feature is analogously comprised as a consequence of their dependency to the respective independent claim.

CONCLUSION

Dependent claims are allowable for at least the same reasons as corresponding independent claims. In view of the defective anticipation rejection of base claims, it is respectfully submitted, that the obvious rejection of dependent claims are also defective.

Allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-1315 (15975ID).

Respectfully submitted,

Date: March 30, 2010   /Dan C. Hu/
                              Dan C. Hu
                              Registration No. 40,025
                              TROP, PRUNER & HU, P.C.
                              1616 South Voss Road, Suite 750
                              Houston, TX 77057-2631
                              Telephone: (713) 468-8880
                              Facsimile: (713) 468-8883